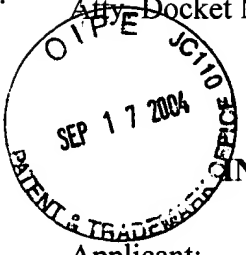


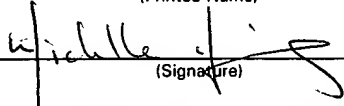
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Att. Docket No.: 052544-0108



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John D. NOTI
Title: MYELOID CELL PROMOTER AND
CONSTRUCTS CONTAINING SAME
Appl. No.: 09/476,202
Filing Date: 01/03/2000
Examiner: Katcheves, Konstantina T
Art Unit: 1636

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below. <u>Michelle Manning</u> (Printed Name) <u></u> (Signature) <u>September 14, 2004</u> (Date of Deposit)
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AMENDMENT AND RESPONSE

Mail Stop AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Office Action dated July 14, 2004, concerning the above-referenced patent application. The shortened three month statutory period for responding to the Office Action is set to expire on October 17, 2004. No fee is believed to be due for this filing. Should any fee be due, the Patent Office is hereby authorized to charge such fees to deposit account No. 50-2350. No extensions of time are believed to be due for this filing; however, should any extensions of time be needed for timely acceptance of papers submitted herewith, applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 50-2350. For the purpose of charging said deposit account, duplicates of pages 1 and the signature page of this response are submitted herewith.

Amended Claims begin on page 2 of this document.

Remarks begin on page 4 of this document.